

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3981 OF 2004

1. Shri Shrikanth Ramchandra Beklanlkar, .. Petitioner

Vs

1.Mrs Anuradha Shrikant Naik and ors. .. Respondents

Mr B.V.Bandiwadekar, for the petitioner.

CORAM : D.B.BHOSALE,J.

DATE : 6th September, 2004.

PC

1. Heard Mr.Bandiwadekar, learned counsel for the petitioner.
2. By the impugned order, the trial Court has granted the prayer of defendant no.1 for sending a letter dated 30.9.1992 purportedly written and signed by the petitioner-plaintiff to handwriting expert seeking his opinion as to whether or not it was his writing. The petitioner denied his handwriting and signature in the said letter stating that he never signs the documents in Marathi. Admittedly, the signature in the letter is in Marathi. This order was passed in January, 2004. The learned Advocate for the petitioner is not in a position to state whether the letter was sent to the handwriting expert or not. However, keeping in view the overall facts and circumstances of the case, I am satisfied that no prejudice would be caused to the petitioner, apart from the fact that I did not find any infirmity in the impugned order, warranting interference in the jurisdiction of this Court under Article 227 of the Constitution of India. The writ petition, therefore, fails and is dismissed as such.

(D.B.BHOSALE, J.)